

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

AUG 06 2009

Leanne Mosby, Director
Water Protection Program
Division of Environmental Quality
Missouri Department of Natural Resources
P. O. Box 176
Jefferson City, Missouri 65102

Dear Ms. Mosby:

The U.S. Environmental Protection Agency (EPA) has completed its review of the Missouri Clean Water Act (CWA) Section 303(d) list of water quality-limited segments still requiring Total Maximum Daily Loads (TMDLs), submitted by the Missouri Department of Natural Resources (MDNR) on July 8, 2009. In this 2008 submittal, MDNR included the following items:

- Missouri's proposed 2008 CWA Section 303(d) impaired waters list
- *Methodology for the Development of the 2008 Section 303(d) List in Missouri*
- *Missouri Water Quality Report 2008* which satisfied reporting requirements under both Sections 305(b) and 314(a) of the CWA (complimenting the 305(b) assessment and GIS data supplied to EPA on February 17, 2009)
- *Missouri Water Quality Report (Section 305(b) Report) 2008*
- A list of border or interstate water and their assessment status
- A list of differences between the 2004/2006 and proposed 2008 303(d) lists
- Shape files for the 2004/2006 and proposed 2008 303(d) lists
- MDNR's *Rationale for the Use and Interpretation of Water Quality Data in the Preparation of the Missouri 2008 303(d) List*
- Complete set of raw data files
- Excel worksheets containing the rationale for assessment decisions on individual waters
- Public comments received by MDNR during public notice periods and all responses to those comments

MDNR's submission included the 2008 CWA Section 303(d) list as approved by the Clean Water Commission on May 6, 2009. EPA has determined that Missouri's list of water quality-limited segments still requiring TMDLs partially meets the requirements of Section 303(d) of the CWA and EPA's implementing regulations. Therefore, today EPA is partially approving and partially disapproving Missouri's 2008 CWA Section 303(d) list. The enclosure

to this letter provides a more detailed rationale of today's action on Missouri's 303(d) list. In today's decision:

- EPA approves the listing of 273 water body/pollutant pairs.
- EPA approves the delisting of 10 water body/pollutant pairs.
- EPA disapproves Missouri's decision to not list 17 water body/pollutant pairs and is proposing to restore them to the state's 2008 303(d) list.

EPA will open a public comment period to receive comments concerning the decision to restore 17 water body/pollutant pairs to the state's list. The list of the 17 water bodies that EPA is restoring to the 2008 Missouri list, as well as the rationale supporting this action, is included as an enclosure to this letter.

I congratulate you and your staff for the completion of the 305(b) water assessment report and the 303(d) list development and submission process. This process requires a significant amount of staff resources and involves a complex evaluation and assessment of water quality data. We look forward to working with MDNR on the development of the 2010 Section 303(d) list.

If you would like to further discuss EPA's action, please contact me at 913-551-7401, or John DeLashmit, Chief of the Water Quality Management Branch at 913-551-7821.

Sincerely,



William A. Spratlin

Director

Water, Wetlands and Pesticides Division

Enclosure

cc: Missouri Department of Natural Resources:

Mr. Rob Morrison
Mr. John Ford
Mr. Phil Schroeder
Mr. John Hoke
Mr. Refaat Mefrakis